

that involve Democrats and fail to provide all the facts when a Republican is involved.

In 2014, the media hyped the indictment of Texas Governor Rick Perry. According to the Media Research Center, ABC, CBS and NBC spent 25 minutes on the subject over the course of two days.

Governor Perry's charges recently were dismissed. This significant event was not covered by any of the three networks' evening news shows or their morning news shows. Not a single minute.

Apparently, when it comes to a high profile Republican, only the alleged bad news counts.

The media's bias is obvious. Maybe that's why 60 percent of Americans have little or no confidence in the national media to report the news fully, accurately and fairly, according to Gallup.

INYO COUNTY CELEBRATES 150TH ANNIVERSARY

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 2016

Mr. COOK. Mr. Speaker, I rise today in recognition of the 150th anniversary of Inyo County, California, which was established by the California State Legislature on March 22, 1866. Inyo County is home to many famous landmarks, including Death Valley National Park and Mount Whitney, the highest peak in the continental United States.

On March 22, 2016, the Inyo County Board of Supervisors will be hosting a formal ceremony in celebration of this remarkable milestone. While I won't be able to attend this special event, I look forward to visiting this beautiful part of our country later this year for the world famous Mule Days celebration. Again, congratulations to the citizens of Inyo County, who will be celebrating the 150th anniversary on March 22, 2016.

HONORING MENDOCINO NATIONAL FOREST SUPERVISOR ANN CARLSON

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 2016

Mr. THOMPSON of California. Mr. Speaker, I, along with Representative GARAMENDI and Representative HUFFMAN, rise to recognize and honor Supervisor Ann Carlson for her great contribution to the designation of the Berryessa Snow Mountain Monument by President Barack Obama on July 10, 2015.

This outstanding accomplishment was made possible by the tireless work of countless advocates. Their commitment to engaging friends, colleagues, local residents, businesses, stakeholders across the country, and policymakers in a coordinated effort to achieve permanent protection was critical to the establishment of the Monument.

Now, the Berryessa Snow Mountain Monument may be counted among the hundreds of pristine parks across the country that represent America's most treasured public resources. The region's unique geological for-

mations will play host for the world's scientists for years to come. Centuries-old archeological sites will draw curious historians and researchers as they piece together the stories of generations past. And avid bikers, hikers, campers, horsemen, and sportsmen will be able to enjoy this landmark that is now forever open and accessible to outdoor enthusiasts from Northern California and beyond.

The Berryessa Snow Mountain Monument serves as proof of the value of the Antiquities Act and the power of the Executive to protect these lands in the face of inaction by Congress. After extensive input from interested parties and substantial evidence of this region's value, the Obama Administration honored the support of stakeholders, and the gravity of conservation.

The legacy of public lands is one of the most important we can leave for future generations. The Berryessa Snow Mountain Monument is a critical piece of a preservation system that stretches from the Hawaiian Islands to the Maine Coast. It has been a privilege working with Supervisor Carlson to further our mutual goal of preserving our nation's great open spaces, and we look forward to collaborating in the future.

HONORING BISHOP CHARLIE GREEN, JR.

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 2016

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Bishop Charlie Green, Jr. of Sikeston, Missouri for his admirable career of service to the community. He has been an exemplary religious leader, businessman, and civil activist in Sikeston for over three decades.

Growing up in Sikeston, Bishop Green attended Lincoln High School where he was the captain of the basketball team. After high school, he served as a paratrooper in the U.S. Army before working as a clerk typist in the Army Material Command for Captains.

Following his military service, Green earned his degree in marketing and management from Missouri University in St. Louis, as well as his degree in Life Underwriter Training Council from St. Louis University. He also holds a bachelor's and master's degree in theology from Cross Roads Divinity School, and earned his doctorate in theology from Triune Biblical University in Kelso, Washington.

In 1974, Green returned to Sikeston after the death of his father to serve as the pastor of Green Memorial Church of God in Christ. After six years as pastor, he was elected as presiding bishop of the Church of God in Christ in 1981. He is also the founder and president of Green Memorial Biblical University. Additionally, he has served the community as president of the Sikeston Branch of the NAACP, member of the Board of Directors of Bootheel Legal Services, and founder of the Sikeston Community Credit Union where he serves as chairman of the Board of Directors.

For these accomplishments and contributions to his community, it is my great pleasure to recognize Bishop Charlie Green, Jr. before the U.S. House of Representatives.

SOUTHEASTERN MARINE CORPS LEAGUE CONFERENCE

HON. RICK W. ALLEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 2016

Mr. ALLEN. Mr. Speaker, I rise today to recognize the exemplary service of our Marine Corps. The 12th District of Georgia is extremely proud of our strong military presence and the role that all the military men and women play in keeping our nation free. The Marines here in Georgia and all around the world make incredible sacrifices every day and we could not be more thankful for them and their families. It is with great honor that Augusta hosts the Southeastern Marine Corps League Conference this year. The conference is sponsored by the Jimmie Dyess Chapter of the Marine Corps League and features a performance by the Parris Island Marine Corps Band.

The Lt. Col Jimmie Dyess MCL Detachment 921 is a proud sponsor of the 2016 MCL Southeast Regional Division Conference in Augusta, Georgia. The Detachment is named for Lt. Col Aquilla James "Jimmie" Dyess, a remarkable Georgian who is the only American to have received both the Medal of Honor and the Carnegie Medal for Civilian Heroism. A graduate of Clemson University, Dyess accomplished many great things in his too short life. He was appointed a first lieutenant in the Marine Corps Reserve in 1936, and one year later was awarded the bronze star as a shooting member on the Marine Corps Rifle Team. He was killed by enemy gun fire on February 2, 1944 while leading his infantry in an attack against the Japanese on the island of Namur.

The Lt. Col Jimmie Dyess MCL Detachment 921 and many other Southeast Divisions support various programs that promote and honor the spirit and traditions of the Marines, including the Boy Scouts of America, the U.S. Marines Youth Physical Fitness Program, and Marines-for-Marines: Wounded Marines Program.

Performing at the Conference this year is the Parris Island Marine Band, from Parris Island, South Carolina. Consisting of one officer and 50 enlisted Marines, the band is one of the leading musical units in the United States military. The band was founded in 1915 and has continued to perform for their country in exciting and versatile concerts ever since. They perform all around the United States, always displaying their dedication to upholding the high standards and traditions of the United States Marine Corps. Their dignified musical expertise, culminated with great military pride and efficiency, sets the United States Marine field bands apart from any other military unit.

The valiant efforts made by our Marines and all of the United States military do not go unnoticed. The support we can offer them is nothing compared to the contributions they make for this great nation every day. Every active duty soldier, veteran, and military family member has devoted themselves to the United States, and it is an honor to pay them the respect they deserve.

HONORING U.S. FOREST SERVICE
REGIONAL FORESTER RANDY
MOORE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 2016

Mr. THOMPSON of California. Mr. Speaker, I, along with Representative GARAMENDI and Representative HUFFMAN, rise to recognize and honor Forester Randy Moore for his great contribution to the designation of the Berryessa Snow Mountain Monument by President Barack Obama on July 10, 2015.

This outstanding accomplishment was made possible by the tireless work of countless advocates. Their commitment to engaging friends, colleagues, local residents, businesses, stakeholders across the country, and policymakers in a coordinated effort to achieve permanent protection was critical to the establishment of the Monument.

Now, the Berryessa Snow Mountain Monument may be counted among the hundreds of pristine parks across the country that represent America's most treasured public resources. The region's unique geological formations will play host for the world's scientists for years to come. Centuries-old archeological sites will draw curious historians and researchers as they piece together the stories of generations past. And avid bikers, hikers, campers, horsemen, and sportsmen will be able to enjoy this landmark that is now forever open and accessible to outdoor enthusiasts from Northern California and beyond.

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The legacy of public lands is one of the most important we can leave for future generations. The Berryessa Snow Mountain Monument is a critical piece of a preservation system that stretches from the Hawaiian Islands to the Maine Coast. It has been a privilege working with Forester Moore to further our mutual goal of preserving our nation's great open spaces, and we look forward to collaborating in the future.

OPPOSE THE AIRR ACT PROTECT
MEAL AND REST BREAKS AND
FAIR PAY FOR TRUCKERS

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 2016

Mr. DeFAZIO. Mr. Speaker, today the House considers a clean extension of aviation programs through July 15, 2016. While I have no objection to H.R. 4721, I do have serious concerns with H.R. 4441, the "Aviation Innovation, Reform, and Reauthorization Act of 2016" (AIRR Act), the controversial Federal Aviation Administration reauthorization bill. My remarks focus on one provision in H.R. 4441, Section 611.

Section 611 of H.R. 4441 pre-empts intrastate laws related to meal breaks, rest breaks, and hourly tracking of wages for truck drivers. Specifically, Section 611(a)(3) states:

(A) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.

(B) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law that requires a motor carrier that compensates employees on a piece-rate basis to pay those employees separate or additional compensation, provided that the motor carrier pays the employee a total sum that when divided by the total number of hours worked during the corresponding work period is equal to or greater than the applicable hourly minimum wage of the State, political subdivision of the State, or political authority of 2 or more States.

Section 611 pre-empts State laws in two parts. Part (A) is specific to meal and rest breaks, which are in effect in 21 States. Part (B) allows companies to continue to pay by the load or on a piece-rate basis, and to disregard State laws that require hourly tracking of wages.

Additional language in Section 611 makes these legislative changes retroactive to 1994. This retroactivity language will wipe out at least 50 pending lawsuits regarding wage and hour laws.

PART A: PREEMPTING STATE MEAL AND REST BREAK LAWS

Section 611 is being pursued by a coalition of large trucking companies following a recent Ninth Circuit U.S. Court of Appeals decision that upheld the State of California's meal and rest break laws for all workers, including truck drivers. See *Dilts v. Penske Logistics, LLC*, 769 F.3d 637 (9th Cir. 2014), cert. denied, 135 S. Ct. 2049 (2015). The trucking companies supporting Section 611 claim that the language in part (A) is needed to prevent a patchwork of State hours of service laws. In reality, Section 611 goes far beyond this stated purpose.

DILTS V. PENSK LOGISTICS DECISION

Section 611 pre-empts existing State meal or rest break laws, many of which have been on the books for decades, in 21 States. If enacted, Section 611 will prevent truck drivers who work exclusively within a single State from being protected by that State's wage and hour laws. I agree that if a truck driver is operating long haul, through several States, having to comply with new rest or meal break requirements every time the driver crosses a State line is confusing and impedes interstate commerce. The Dilts case was not a case that affected drivers moving goods from coast to coast—it was a case involving local appliance delivery drivers who never left California.

The trucking companies supporting Section 611 argue that a driver would have to pull off the road at inconvenient times or in potentially unsafe situations to take a break. That is sim-

ply not true. In fact, case law has specifically established that employers do not have to require employees to take a break—they simply must permit it by relieving employees of duties or pay employees for the time.

Moreover, it is disingenuous for some in the trucking industry to imply that the need for this legislative fix was caused by one "rogue" Ninth Circuit court decision. California changed its meal and rest break law in 2000—16 years ago—to provide a monetary remedy of an additional hour of pay to an employee if an employer does not allow for a meal or a rest break.

The 2014 Dilts decision regarding meal and rest breaks cites multiple cases setting the precedent for the decision. In addition, the U.S. Department of Transportation (DOT) filed an amicus brief in this case in support of the drivers, marking the first time the Federal Government has taken a position on intrastate pre-emption. DOT argues that there is a presumption against preemption in areas of traditional State "police power" or control, and that labor laws are a clear area of traditional State control. DOT also notes that Federal rules requiring a 30-minute rest break do not apply to short-haul drivers. Therefore, if Section 611 were enacted, short-haul intrastate drivers would not receive any rest break protection under Federal or State law.

DOT's brief also cites a finding from a decision by the Seventh Circuit Court of Appeals, well known for its pro-business decisions, in a trucking case that found that any changes to economic inputs may raise the cost of doing business, but that does not rise to the level of challenging pre-emption. In *S.C. Johnson & Son, Inc. v. Transport Corp. of America, Inc.*, 697 F.3d 544 (7th Cir. 2012), the Seventh Circuit found:

[L]abor inputs are affected by a network of labor laws, including minimum wage laws, worker safety laws, anti-discrimination laws and pension regulations. Capital is regulated by banking laws, securities rules, and tax laws, among others. Technology is heavily influenced by intellectual property laws. Changes to these background laws will ultimately affect the cost of these inputs, and thus, in turn, the price . . . or service of the outputs. Yet no one thinks that the ADA or the FAAAA preempts these and the many comparable State laws. *S.C. Johnson & Son, Inc.*, 697 F.3d at 558.

The Ninth Circuit's Dilts decision very clearly spells out that California's labor laws, particularly related to intrastate truck drivers in this case, are not be preempted under the 1994 F4A pre-emption provision:

Although we have in the past confronted close cases that have required us to struggle with the "related to" test, and refine our principles of FAAAA preemption, we do not think that this is one of them. In light of the FAAAA preemption principles outlined above, California's meal and rest break laws plainly are not the sorts of laws 'related to' prices, routes, or services that Congress intended to preempt. They do not set prices, mandate or prohibit certain routes, or tell motor carriers what services they may or may not provide, either directly or indirectly . . . They are normal background rules for almost all employers doing business in the state of California. *Dilts*, 769 F.3d at 647.

Therefore, Part (A) of Section 611 goes far beyond addressing the concern that drivers may face different rules in different States in interstate commerce. If enacted, it would deny